

# SENATE BILL REPORT

## HB 2284

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As Reported By Senate Committee On:  
Transportation, February 25, 2002

**Title:** An act relating to the disqualification of drivers of commercial motor vehicles.

**Brief Description:** Disqualifying commercial drivers for grade crossing violations.

**Sponsors:** Representatives Fisher, Hatfield, Mitchell and Haigh; by request of Department of Licensing.

**Brief History:**

**Committee Activity:** Transportation: 2/21/02, 2/25/02 [DP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Eide, Jacobsen, Johnson, Kastama, Keiser, McAuliffe, Oke and Shin.

**Staff:** Tami Neilson (786-7452)

**Background:** The Federal Motor Carrier Safety Administration promulgates rules that govern commercial driver's licenses. A recent federal rule requires that states implement specific laws to achieve safer commercial motor vehicle driver behavior for crossing an intersection where a rail line and a highway cross over one another at the same level. If a state fails to implement the laws by October 2002, it may result in a 5 percent reduction of federal transportation funding in the first year of noncompliance, and a 10 percent reduction every year thereafter.

Violations of railroad-highway grade crossings are currently determined by federal, state, and local law. Washington law does not disqualify commercial drivers for railroad-highway grade crossing violations.

**Summary of Bill:** A commercial motor vehicle driver is disqualified from driving a commercial motor vehicle for a predetermined period of time if he or she is guilty of violating one of six specified offenses regarding railroad-highway crossings, as indicated below.

- For drivers who are not required to always stop: (1) failing to slow down and check that the tracks are clear; and (2) failing to stop before reaching the crossing if the tracks are not clear.
- For drivers who are required to always stop, failing to stop before driving over a crossing.
- For all drivers: (1) failing to have enough space to drive completely through the crossing without stopping; (2) failing to obey a traffic control device or directions of

a law enforcement officer at a crossing; and (3) failing to go over a crossing without sufficient undercarriage clearance.

The driver is disqualified for 60 days for the first violation, 120 days for the second, and one year for the third within a three-year period.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** We need this legislation passed to avoid a federal funding loss.

**Testimony Against:** None.

**Testified:** Clark Holloway, Department of Licensing.